



05-11-07

AF/ktw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. AM100878-P1)

*In re* Patent Application of: ) Appln. No.: 10/808,964  
 ) Confirmation No.: 7042  
 XIANG-JIN MENG *et al.* ) Customer No.: 000044091  
 ) Group Art Unit: 1648  
 Filed: 03/25/2004 ) Examiner: Stacy Brown Chen  
 )  
 For: CHIMERIC INFECTIOUS DNA CLONES, )  
 CHIMERIC PORCINE CIRCOVIRUSES )  
 AND USES THEREOF )

TRANSMITTAL LETTER

Dear Sir:

Transmitted for filing in the above application is an Amendment after Final Rejection Pursuant to 37 C.F.R. § 1.116. No additional fee is required for this submission.

Thank you for your attention to this matter.

Respectfully submitted,

VIRGINIA TECH INTELLECTUAL PROPERTIES,  
INC. and IOWA STATE UNIVERSITY RESEARCH  
FOUNDATION, INC.

Date: May 10, 2007

By: Anne M. Rosenblum

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FILING BY EXPRESS MAIL UNDER 37 C.F.R. § 1.10

This correspondence and the accompanying documents identified hereinabove are being deposited with the U.S. Postal Service on May 10, 2007 to be delivered by the "Express Mail Post Office to Addressee" service under Mailing Label Number EB 166681307 US addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Anne M. Rosenblum  
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 AND USES THEREOF ) Paper No.: 23

AMENDMENT AFTER FINAL REJECTION PURSUANT TO 37 C.F.R. § 1.116

Dear Sir:

Responsive to the Official action mailed March 15, 2007, please amend the above-referenced application using the below instructions and consider the remarks in a positive light:

REMARKS

Reconsideration of this application, as amended, is respectfully requested. In accord with 37 C.F.R. § 1.121, the amendment proposal and a listing of all claims in the application begin on a separate sheet. As required, only the claim number and status indicate the canceled claims. The amendment adds no new matter. For the convenience of the Office staff, the amendment is placed in the below Appendix and incorporated herein by reference thereto.

While Applicants appreciate that they cannot amend the finally rejected claims as a matter of right, they believe that presenting the below amendment may place the application in condition for an immediate allowance. This amendment is warranted to address the Examiner's sole, remaining rejection of the application directly and bring the claims in conformance with her opinion of allowable subject matter. It does not raise new issues or require a further search. The amendment was not previously presented since the Applicants believed their remarks and earlier amendments would suffice to overcome the outstanding rejections at that time. Applicants would hope that the Examiner kindly enters the after final amendment into the record and considers it satisfactory to allow the application to issue as a patent.

Applicants gratefully acknowledge that the Examiner has generously allowed Claims 1-10, 32, 35 and 38.

Page 1 of 6